

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re Patent Application of

APPLEBY

Serial No. 09/051,070

Filed: April 2, 1998

Title: TRAINING APPARATUS AND METHOD

Assistant Commissioner for Patents  
Washington, DC 20231

Atty. Dkt.: 36-1201

C# M#

Group Art Unit: 2123

Examiner: Phan, T.

Date: June 21, 2002

RECEIVED

JUN 27 2002

Technology Center 2100

Sir:

☒ **NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Appeals from the decision dated  
March 26, 2002 of the Examiner twice/finally  
rejecting claims 1-16 and 20-30 (\$ 320.00 )

\$ 320.00

☐ An appeal **BRIEF** is attached in triplicate in the pending appeal of the  
above-identified application (\$ 320.00)

\$ 0.00

☐ An **ORAL HEARING** is requested under Rule 194 (\$ 280.00)  
(due within two months after Examiner's Answer)

\$ 0.00

☐ Credit for fees paid in prior appeal without decision on merits

-\$ ( 0.00)

☐ A reply brief is attached in triplicate under Rule 193(b)

(no fee)

☐ Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months; \$1440.00/4 months)

\$ 0.00

**SUBTOTAL** \$ 320.00

☐ Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract  
☐ "Small entity" statement attached.

-\$ ( 0.00)

**SUBTOTAL** \$ 320.00

Less month extension previously paid on

-\$ ( 0.00)

**TOTAL FEE ENCLOSED** \$ 320.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or  
asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this  
firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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**NIXON & VANDERHYTE P.C.**

By Atty.: Raymond Y. Mah, Reg. No. 41,426

Signature: 

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